

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

APPLIED ELASTOMERICS, INCORPORATED, a  
California corporation,

Plaintiff,

v.

Z-MAN FISHING PRODUCTS, INCORPORATED,  
a South Carolina corporation,

Defendant.

No. C 06-2469 CW

ORDER CONCERNING  
MOTIONS TO SEAL  
(Docket Nos. 146  
and 173)

AND RELATED COUNTERCLAIMS.

Plaintiff Applied Elastomerics, Inc. sought to file under seal Exhibit A to the Declaration of Geoffrey Graber in support of Plaintiff's Motion for Partial Summary Judgment and Exhibit A to the Declaration of Geoffrey Graber in support of Plaintiff's Motion for Rule 11 Sanctions. Plaintiff stated that Defendant Z-Man Fishing Products, Inc. had designated these exhibits as confidential. The Court denied Plaintiff's motions because Defendant had not, as required by Civil Local Rule 79-5(d), submitted a supporting declaration establishing that these exhibits

1 were confidential. Defendant subsequently responded with an  
2 unsworn statement that it does not object to the portions of the  
3 exhibits actually cited by Plaintiff in its motions for summary  
4 judgment and for Rule 11 sanctions, but that it considers other  
5 portions of the exhibits, none of which were cited in Plaintiff's  
6 motions, to be confidential.

7       Considering Defendant's response and in the interest of  
8 limiting the number of documents filed under seal, Plaintiff is  
9 ordered to compile and file in the public record only those  
10 portions of Exhibit A to the Declaration of Geoffrey Graber in  
11 support of Plaintiff's Motion for Partial Summary Judgment and  
12 Exhibit A to the Declaration of Geoffrey Graber in support of  
13 Plaintiff's Motion for Rule 11 Sanctions that are cited in the  
14 corresponding motions.

15       IT IS SO ORDERED.

16  
17 Dated: 9/11/07



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CLAUDIA WILKEN  
United States District Judge